

From: Tulis.Dana@epamail.epa.gov

> Subject: Reply to your EPA Inquiry

> To: stevenosei@msn.com

> Date: Thu, 24 Mar 2011 08:23:10 -0400

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>

> Dear Mr. Pedigo;

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> Thank you for your February 2, 2011 e-mail to Environmental

> Protection Agency (EPA) Administrator Lisa Jackson and others about
the

> use of your bioremediation product Oil Spill Eater II (OSE II) in the

> Gulf of Mexico. You also raised numerous concerns regarding

> mischaracterization of OSE II for oil spill remediation. I am pleased

> to respond on behalf of the Administrator.

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> As you know, dispersants are one option available to emergency

> responders. Use of any one option involves environmental tradeoffs and

> responders carefully consider whether skimming, booming, in situ

> burning, chemical countermeasures (such as chemical dispersants or

> bioremediation agents), or some combination of all of these may be

> necessary and appropriate to protect sensitive shorelines, water

> resources, or wildlife. Due to the large scale of the BP oil spill,

> varying weather and sea conditions, and type of discharge, responders

> used all of these techniques to minimize the impact of the spill on

> humans and the environment.

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> Chemical dispersants, along with mixing energy, break up oil

> slicks into tiny particles that move into the water column so they may

> be more readily degraded by existing microorganisms in the water. The

> oil reportedly found in sediment layers you mentioned is not likely oil

> that was chemically dispersed because the tiny oil-dispersant mixture

> droplets are neutrally buoyant and neither sink nor rise but spread out

> in all directions according to underwater currents. Nonetheless, the

> presence of oil in the sediment is a concern, and we agree more

> information is needed about the long term environmental consequences

> associated with oil discharges, the use of dispersants and oil in



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- > sediments. EPA is already working on the regulatory requirements
- > associated with the authorization and use of dispersants and initiating
- > research into the fate of the oil and dispersants in the environment.
- > Note that of the thousands of air, water and sediment samples collected
- > and analyzed, none showed any increased level of concern for either
- > dispersants or oil for aquatic life or human exposure. For more
- > information about this data, see: <http://www.epa.gov/bpspill/>.
- >
- > EPA believes dispersants should only be used sparingly and when
- > absolutely necessary. Since the well was capped, only 200 gallons of
- > dispersant have been applied to the Gulf, but constant monitoring
- > continues.
- >
- > Under the National Contingency Plan (NCP), an On-Scene Coordinator
- > (OSC) carries the responsibility for directing the response to an oil
- > spill. The OSC consults with the Regional Response Team (RRT), which
- > consists of representatives from the state, the EPA region and, in the
- > marine environment, the U.S. Coast Guard, who provides the
- appropriate
- > regional mechanism for development and coordination of assistance and
- > advice to the OSC during response actions. RRTs conduct advance
- > planning for the use of dispersants, surface washing and collecting
- > agents, burning agents, bioremediation agents, or other chemical agents
- > in accordance with the regulations under Subpart J of the NCP. Although
- > a product is listed on the NCP Product Schedule, such a product cannot
- > **be applied without an OSC's authorization.**
- >
- >
- > With respect to bioremediation agents like OSE II, EPA in
- > conjunction with the US Coast Guard, collaborated with scientists from
- > the National Oceanic and Atmospheric Administration (NOAA) and the
- > Deepwater Horizon Science and Engineering Review Team (H-SERT)
- which
- > consists of scientists from Louisiana State University, University of
- > Louisiana at Lafayette, University of New Orleans, Tulane University,
- > and Southern University on the use of innovative technologies to
- > remediate the Gulf of Mexico region. This team reached consensus that
- > bioremediation would provide limited value for oil discharges in

> general. There may be specific situations where bioremediation might be
> considered after a thorough evaluation of the site-specific conditions
> (including oil composition and concentrations and an assessment of
> nutrient and oxygen limitations) and limited testing to ensure the
> benefits outweigh any risks before a decision to implement such a
course

> of action is made. The details on this finding are contained in a
> letter to Governor Bobby Jindal which can be found at:
> <http://www.epa.gov/bpspill/bioremediation-letter-20100712.pdf>.

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> We appreciate your interest in restoration of the Gulf and that
> OSE II can help in that effort. The Gulf Restoration Task Force will
> determine the appropriate strategies used for restoring the Gulf of
> Mexico. If chemical or bioremediation agents are needed for specific
> restoration areas, the Task Force will rely on the Product Schedule for
> insights.

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> Thank you again for your email. As stated in our previous
> response to you in December 2010, the Office of Emergency
Management

> (OEM) is interested in meeting with you to discuss the results of
> **demonstrations and uses of OSE II and to discuss the Agency's effort to**
> revise the requirements under Subpart J of the National Contingency
> Plan. Please contact Craig Matthiessen of my Office, at 202-564-8016,
> to discuss a meeting and to address any additional questions you may
> have.

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> Sincerely,
> Dana S. Tulis
> Acting Director
> Office of Emergency Management

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> cc: Sam Coleman – EPA Region 6
> Craig Matthiessen – Office of Emergency Management